

**IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR**

:::

ORDER

**S.B. CIVIL WRIT PETITION NO.6577/2003-
SHAITAN SINGH VS. STATE OF RAJASTHAN
& ORS. UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA.**

DATE OF ORDER

:: 22nd December, 2006

PRESENT

HON'BLE JUSTICE SHRI MOHAMMAD RAFIQ

Mr.P.R. Singh, Advocate, for the petitioner.

Mr.R.Dave, Dy. Government Advocate for the respondent.

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BY THE COURT:

The controversy raised in this writ petition is squarely covered by the judgment delivered in S.B. Civil Writ Petition No.6580/2003-Pratap Singh VS. State of Rajasthan & Ors., decided on 15th Dec., 2006. The facts of this case and of that case are exactly same. Detailed reasonings have been given in the case of Pratap Singh (supra). Therefore, this writ petition is also deserves to be allowed for the reasons stated

in that judgment.

The writ petition is accordingly partly allowed and impugned orders of penalty against the petitioner i.e., the penalty of stoppage of one grade increment without cumulative effect is modified into that of penalty of censure.

There shall be no order as to costs.

(MOHAMMAD RAFIQ),J.

c.p.goyal/-